

DOCKET NO.: PHOE-0200

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mike Clark

Confirmation No.: 5283

Application No.: 10/674,666

Group Art Unit: 1648

Filing Date: September 29, 2003

Examiner: Le, Emily M

For: METHODS FOR INHIBITING VIRAL REPLICATION IN VIVO

DATE OF DEPOSIT: OCTOBER 31, 2006

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

David M. De Santo

TYPED NAME: David M. De Santo

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date

of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☒ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of **\$180.00** as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).

- ☒ Copies of reference numbers **88 thru 92** listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

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PATENT

The reference(s) cited on the attached PTO-1449 form was/were cited in the International Search Report Written Opinion dated **September 28, 2006** that was received in the corresponding PCT application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: *October 31, 2006*

Jane E. Inglese

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David M. De Santo

TYPED NAME: David M. De Santo

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATION UNDER 37 CFR § 1.97(e)

In accordance with 37 CFR § 1.97(e), certification is hereby made that:

- ☒ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

- ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Date: *October 31, 2006*

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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office		Docket No. PHOE-0200	Application No. 10/674,666
		Applicant Mike Clark	
		Filing Date September 29, 2003	Group 1648
		Confirmation No. 5283	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	88	Curley, S.A. et al., "Regression of Hepatocellular Cancer in a Patient Treated with Arginine Deiminase", <i>Hepato-Gastroenterology</i> , 2003 , 50, 1214-1216, XP 009071872	
	89	Donnelly, K., "Hepatitis and Transfusions", <i>Nephrology Nursing Journal</i> , 2000 , 27(5), 538-539, XP 009071928	
	90	Holtsberg, F.W. et al., "Poly(ethylene glycol) (PEG) Conjugated Arginine Deiminase: Effects of PEG Formulations on its Pharmacological Properties", <i>Journal of Controlled Release</i> , 2002 , 80, 259-271	
EXAMINER		DATE CONSIDERED	

Form PTO-1449 Modified

List of Patent and Publications
Cited by Applicant
(Use several sheets if necessary)

U.S. Department of Commerce
Patent and Trademark Office

Docket No.
PHOE-0200

Application No.
10/674,666

Applicant
Mike Clark

Filing Date
September 29, 2003

Group
1648

Confirmation No.
5283

U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	91	WO 99/42568	08/26/99	PCT		
	92	WO 02/44360 A2	06/06/02	PCT		

EXAMINER**DATE CONSIDERED**